

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRANDON T. GATES,

Petitioner,

v.

GREGORY M. BANKS,

Respondent.

CASE NO. C20-0896-JCC

ORDER

This matter comes before the Court on the report and recommendation of the Honorable Michelle L. Peterson, United States Magistrate Judge (Dkt. No. 12). Judge Peterson recommends that the Court dismiss Petitioner’s habeas petition without prejudice because although Petitioner is currently being detained pending trial in state court, he has not been convicted and has not exhausted his state court remedies. (*Id.* at 1–2.) Petitioner has not filed objections to Judge Peterson’s report and recommendation, and the Court agrees with Judge Peterson’s analysis. Accordingly, the Court ORDERS as follows:

1. The report and recommendation (Dkt. No. 12) is APPROVED and ADOPTED;
2. This action is DISMISSED without prejudice; and
3. Petitioner’s other pending motions (Dkt. Nos. 10–11) are DENIED as moot.

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1 DATED this 26th day of August 2020.

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5 John C. Coughenour
6 UNITED STATES DISTRICT JUDGE
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